

## **Clarification on BACT and the Verification Procedure**

The Verification Procedure, Warranty and In-Use Compliance Requirements for In-Use Strategies to Control Emissions from Diesel Engines (Procedure) is used by staff of the Air Resources Board (ARB) to categorize diesel emission control retrofits based on their performance. Verification of retrofits makes them eligible to participate in ARB's in-use fleet regulations and incentive programs. Defining what constitutes the Best Available Control Technology (BACT) is not one of the functions of the Procedure. Each individual fleet regulation and incentive program determines whether a BACT system is used and how BACT is defined. Accordingly, the Procedure's newly-adopted Plus levels, which designate retrofits that comply early with the 2009 limit on emissions of nitrogen dioxide (NO<sub>2</sub>), do not define BACT. They make a new category of retrofits available that regulators may propose to define as BACT. For existing regulations and incentive programs to define the Plus level systems as BACT, they would need to be amended appropriately.